

# Victims Compensation Quarterly

**Dedicated to Providing Compassionate Services to our Constituents**

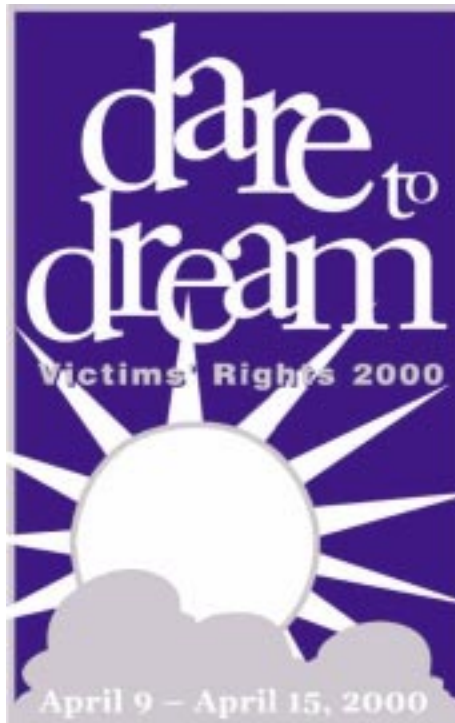
## **VICTIMS OF CRIME PROGRAM COMMEMORATES VICTIMS' RIGHTS WEEK**

Governor Gray Davis has proclaimed April 9-15 2000, as **Victims' Rights Week**, to reflect the State's strong commitment to crime victims' rights.

During this week, crime victims, service providers, criminal justice and allied professionals will join together across the nation to commemorate the 20th anniversary of **National Crime Victims' Rights Week**.

The goal of this annual observance is to increase public awareness of the rights and needs of victims of crime, and sensitivity to their plight. This is a time to honor crime victims and all they endure, as well as the countless individuals who serve them.

This year's theme "**Dare to Dream**" reflects the tremendous strides that have been made toward victim justice that emerged from victims who dared to share their personal pain so that others might learn from their experiences; from victim service providers who dared



to push for significant reforms that have resulted in more consistent and comprehensive assistance for crime victims; and from justice officials who dared to pursue a system of justice that balances the rights of accused and convicted offenders with the rights of crime victims.

When National Crime Victims' Rights Week was first proclaimed in 1980, crime victims had few participatory rights in our

criminal justice system.

Today, over 10,000 national, state and local organizations provide services and assistance to victims of crime. Thirty thousand laws have been passed at the federal, state and local levels that protect victims' rights, including constitutional amendments in 32 states.

As in past years, Victims of Crime Program (VOCP) staff will participate in the observance of Victims' Rights Week to show their support for victims.

On April 11, 2000, VOCP staff will actively participate in the "11th Annual March on the Capitol", which begins at 11:45 a.m., on the west steps of the Capitol. The VOCP's staff will also be distributing "Victim Awareness" ribbons and "March on the Capitol" buttons in commemoration of this event.

Join the thousands of California citizens proudly displaying their support of Victims' Rights Week by wearing a ribbon or button.



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# New Legislation Impacts Victims of Crime

A bill authored by **Assembly Member Jackson** (AB 606) and signed by **Governor Gray Davis** resulted in changes to the statutes affecting the Victims of Crime Program. These changes are effective for crimes that occurred on or after January 1, 2000.

## **Category of Eligible Providers**

Requires the Board, until January 1, 2004, to conduct a pilot program to provide reimbursement for grief, mourning and bereavement services that are provided by an individual who is certified as a **Child Life Specialist**, and to report to the Legislature by January 31, 2003, on this pilot program.

## **Domestic Violence Victims**

Authorizes a cash payment or reimbursement to an adult victim of domestic violence for specified expenses incurred in relocating, not to exceed \$2,000, if the expenses are determined by law enforcement to be necessary for the personal safety of the victim, or by a mental health provider, as necessary for the emotional well-being of the victim. These expenses may include, but need not be limited to, all of the following:

- Deposits for utilities and telephone service;
- Deposits for rental housing, not to exceed the first and last months rent, or \$2,000, whichever is less;

- Clothing and other personal items, not to exceed \$500;
- Temporary lodging and food expenses, not to exceed \$1,000.

The cash payment or reimbursement shall only be awarded once to any victim, except that the Board may award a second cash payment or reimbursement to the same victim if both of the following conditions are met:

- The crime or series of crimes occurs more than three years from the date of the crime giving rise to the initial relocation payment or reimbursement;

When a relocation payment or reimbursement is provided to a victim of domestic violence, the victim must agree not to inform the offender of the location of the victim's new residence, not allow the offender on the premises at any time, or must seek a restraining order against the offender.

Victims of crimes other than domestic violence may also receive relocation expenses.

## **Payment for Residential Security**

If the crime occurred in the victim's residence, a cash payment of up to \$1,000 for the expense of installing or increasing residential security may be authorized. Reimbursement shall be made upon verification by law

enforcement to be necessary for the personal safety of the victim, or by a mental health treatment provider to be necessary for the emotional well being of the victim.

Installing or increasing residential security may include, but need not be limited to, both of the following:

- Home security device or system;
- Replacing or increasing the number of locks.

## **Renovation of Residence and/or Vehicle**

Authorizes payment to a victim who is permanently disabled, whether the disability is partial or total, as a result of the crime, for the expense of renovating or retrofitting his or her residence or vehicle.

Any payments shall be subject to the following condition:

- The expense is verified to be medically necessary.

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## NEW DIRECTOR WILL LEAD VICTIMS PROGRAM INTO NEW MILLENNIUM

On January 1, **Kelly Brodie** began her appointment as the Board of Control's new Executive Director.

Prior to this appointment, Ms. Brodie was the Compensation Director of the Crime Victim Assistance Program within the Iowa Department of Justice. She is currently serving her second term as the president of the National Association of Crime Victim Compensation Boards, and was formerly Iowa's VOCA assistance administrator.

One of her first goals is to simplify and revise the VOCP application. She also plans to increase distribution of the new VOCP applications by making them available in



**Kelly Brodie**  
**Executive Director**

places such as law enforcement agencies, hospitals and social service

agencies.

*Other goals include:*

- Installing a new and improved data base for the VOCP;
- Scanning of all file documents to eliminate paper files;
- Conducting on-going client surveys to assess customer satisfaction;
- Revising and personalizing written communications to victims/claimants.

She will integrate her experience, vision and compassion for victims, to ensure that the VOCP provides optimal services in the new millennium.



### *Assistance Available from the Victims of Crime Program*

**V**ictims of violence and their families must deal with the emotional, physical, and financial aftermath of crime.

The Victims of Crime Program (VOCP) helps innocent victims of certain crimes and their family members when they have no other means of paying for crime-related income or medical losses. Specific family members or persons in close relationship to a victim may also qualify for assistance.

VOCP assistance is obtained by filing an application with

the State Board of Control (Board), which administers the program, or with local county Victim Witness Centers, who assist victims in applying for compensation, or by calling the VOCP at **1-800-777-9229**, to request an application.

#### ***Eligibility***

A victim may be eligible for assistance if:

- The victim is a resident of California regardless of where the crime occurred, or the victim is a nonresident who became a victim of a crime within California;

- The victim suffered emotional trauma, physical injury, threat of physical injury, or death due to the crime;

- The crime was reported to a law enforcement agency;

- The victim cooperated with law enforcement during the investigation and prosecution of the suspect;

- An application is filed within one year of the date of crime, or within three years of the crime when good cause is shown for filing late. Acceptance of an application

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## **"VOCP"**

### ***Continued from Page 3***

with good cause is limited to three years after the crime or three years after a minor victim reaches age 18;

- There was an out of pocket loss;

### ***Eligible Expenses***

The following types of expenses may be paid by the VOCP:

- Medical/Dental
- Mental Health Counseling
- Wage/Income
- Financial Support
- Funeral/Burial
- Job Retraining
- Relocation
- Residential Security
- Renovation of Vehicles and/or Residence (Permanently Disabled Victims).

### ***Payment Amounts***

The total of all payments to a victim cannot exceed the maximum benefit of \$46,000. Specific payment limitations

are as follows:

- Outpatient medical expenses are paid according to a Workers' Compensation Fee Schedule;

- Inpatient hospital expenses are reimbursed at 75% of the billed amount;

Outpatient mental health counseling expenses are available as follows:

- Up to \$10,000 for a direct victim;

- Up to \$10,000 each for a surviving parent, sibling, spouse, child, or fiancée of a victim who dies as a direct result of a crime;

- Up to a combined total of \$10,000 for up to two adults who are the primary caretakers of a child victim of physical or sexual abuse;

- Up to \$3,000 each for all other eligible victims;

- Lost wages may be reimbursed for up to two or three years, depending on the extent of disability;

- Loss of support may be reimbursed for up to two years for a legally dependent adult/spouse, or up to a minor's eighteenth birthday. Up to \$46,000 may be paid to one family as a result of a single crime;

- Funeral/Burial expenses up to \$5,000;

- Relocation expenses up to \$2,000;

- Up to \$1,000 for residential security devices.



**Gray Davis**  
Governor

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## **"NEW LEGISLATION"**

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#### ***Emergency Awards***

Allows the Board to delegate authority to grant and disburse specific Emergency Awards.

#### ***Restitution***

AB606 also adds the newly created benefits and mental health to the list of expenses for which restitution may be ordered, pursuant to Section 1202.4 of the Penal Code.







# The QAMH READER

A Publication of the Quality Assurance Mental Health Unit of the  
Victims of Crime Program, State Board of Control

Special Issue

The QAMH READER is a publication of the Quality Assurance Mental Health Unit of the Victims of Crime (VOC) Program, State Board of Control

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## The Quality Assurance Mental Health Unit aka QAMH

The QAMH unit was established by the Victims of Crime (VOC) Program in 1991 in order to establish a higher level of expertise in regard to mental health issues encountered by the VOC Program. Its first assignment was to review claims with large amounts of mental health treatment reimbursements. Today, QAMH's responsibilities have expanded to include a wide range of mental health related activities including the following:

- Review of claims with complex or unique mental health issues, ie. In-patient hospitalization/residential treatment facilities, mental health related wage loss request, Dire or Exceptional funding requests, and Independent Psychological/Medical Evaluations.
- The Standards of Care Task Force (SOCTF) for child trauma victims. The task force has made recommendations on a wide range of issues to improve the care for child trauma victims. In the near future, it is anticipated that a task force to study adult issues will be convened.
- The Database Research Project; a project utilizing the VOC program's database to conduct research which will improve program services and staff decision making.
- The Peer Review committee; a group composed of mental health providers that meets regularly to review selected claims.

QAMH staff function as the VOC's resident mental health experts having recieved on-going in-service and outside training on a number of mental health areas. QAMH is led by Afzal Rashid, Manager, and recieves clinical guidance from James Kent, Ph.D., Consulting Staff Psychologist. The QAMH Unit is staffed by four analysts, a CVRO Supervisor, and seven CVRO's. Additionally, QAMH is supported by an Office Technician and an Office Assistant. These staff include:

Afzal Rashid, Manager, oversees the QAMH Unit and the SOCTF. He has been with the VOC Program since 1988 and with QAMH since 1995. Afzal has spearheaded many innovations for the

VOC such as Preauthorization (a streamlining process for bills), and supervised the implementation of the SOCTF. Outside of the VOC Program, Afzal is the founder and editor of a 3 language newsletter (*Afghanistan Horizon*), has co-authored two books on Afghan concerns, and has been a participant in the United Nations Conference for Social Development held in New York and Copenhagen.

**J**ames Kent, Ph.D., has been with the VOC Program and QAMH since 1991 functioning as the program's Consulting Staff Psychologist. In that capacity, Dr. Kent has been instrumental in numerous projects including the SOCTF, the Peer Review Committee, and the Database Research Project. Dr. Kent also serves as an expert advisor to the Board on mental health issues and provides clinical advisory and training to both QAMH and VOC staff. Dr. Kent, a well-known expert on trauma victims, recently was honored by the Board with a Superior Accomplishment Award for his invaluable contributions to the VOC Program.

**B**arry Fisher, QAMH's lead analyst, has been with the VOC Program since 1988 and with QAMH for over three years. Barry has made many valuable contributions to QAMH through his extensive technology and program knowledge. Barry was recently recognized for his continued high level of achievement when the Board awarded him with a Sustained Superior Accomplishment Award.

**B**rian Lew, analyst, has been with the VOC Program since 1987, and with QAMH the last two years. Brian is the editor of the QAMH Reader and lead staff for the Database Research project. He is completing his dissertation for a Ph.D. in clinical psychology. Brian enjoys distance running and has two retired racing greyhounds.

**P**aul Bezman LCSW, analyst, has been with VOC and QAMH for almost one year. Paul is enjoying his new work and the people he works with. He finds the challenges of working with the SOCTF very rewarding. Paul enjoys projects that are progressive; merging the technology of the internet to communicate new ideas to the mental health community.

**L**isa Guillen, analyst, has been with the VOC Program since 1993 and with QAMH the last five years. Lisa previously was the lead CVRO for QAMH and was the acting Supervisor for QAMH. Lisa is involved with the peer review process and the clinical post audit process. She is a full time graduate student in Counselor Education.

**M**aria Elena Olivas, CVRO Supervisor, has been with the VOC Program since 1987, and with QAMH for the last four years. Maria Elena feels fortunate to work with a very professional and hard working group of people.

**D**aisy Baird, CVRO, has been with the VOC Program since 1992, spending four of those years with QAMH. Daisy has a B.A. in Organizational Communications with a minor in Organizational Psychology. Her previous work experience includes work with the Hi-Tech Center for the Disabled, the Foster Care Education Program and, Child and Family Services.

**R**uth Fox, CVRO, has worked for the VOC Program since 1993 and with QAMH the last four years. While in QAMH, Ruth has worked on several assignments including IHC, long-term wage loss, and Independent Psychological/Medical Evaluations (IP/ME).

**J**oan Beale, CVRO has also been with the VOC Program since 1993 and with QAMH the last four years. Joans primary assignment has involved requests for additional mental health treatment under the Dire or Exceptional (D/E) provision.

**R**obert Sonsalla, CVRO, has been with the VOC Program since 1988, and with QAMH for over two years. Robert's primary assignment involves extended wage loss requests based on mental health disability. Robert enjoys reading, writing and sports.

**M**arcella Aldama, CVRO, has been with the VOC Program since 1991, and with QAMH the last year. Marcella really enjoys working at the Board and in the QAMH Unit. She enjoys the interaction with the claimants and finds the work very gratifying.

**F**rank Mitchum, CVRO, has been with the VOC Program the last 16 months, including the last four months with QAMH. Frank's current assignments include mental health review, IME, In-patient and Residential Treatment review.

**P**aula Chadaris, CVRO, has been with the VOC Program since 1980 and with QAMH the last three months. Paula enjoys being able to help people with her work in QAMH. Outside of work, Paula spends her time with her grandkids and her dog and horses.

**C**ristina Salazar, Office Technician, has been with the VOC Program and QAMH for one year. Christina will soon be going back to school to recieve her certification as an Emergency Medical Technician with the goal of becoming a paramedic.

**M**atthew Caluza, Office Assistant, has been with the VOC Program and QAMH for two months. Matthew has quickly become a valuable part of the QAMH unit.